

THAT ROWAN INVESTIGATION.

Judge Cole Concludes and the Testimony is All Finished—Arguing the Case.

The Rowan County investigation was resumed Thursday afternoon with Judge Cole on the stand. A special to the Louisville Commercial says he testified to the circumstances affecting the holding of the term of court in Morehead following the extermination of the Tollivers. His statements were in his own defense and were made in an apparently straightforward manner. They were given in a manly manner to questions propounded by his counsel. He was asked if there was any truth in the charge contained in the Governor's message, to the effect that he (the witness) was so far under the influence of a leader of one of the factions as to affect seriously the action of the grand jury. This charge was stated by the Governor upon authority of the Adjutant General's report.

Judge Cole gave an emphatic answer in the negative, and supplemented it with the statement that his official conduct was not nor could not be influenced by Taylor Young or any other man. His eating and sleeping under the same roof with Taylor Young during the last term of court was, he said, entirely accidental.

Senator Wright examined Judge Cole on behalf of the committee. In answer to a question he said that the word Tolliverite in its application was synonymous with Democrat and Martinite with Republican. He knew of no other division among the people of Rowan than was indicated by party lines.

"I think," he said, "the feeling that I was prejudiced was confined to about half a dozen people. There were others, however, who, I believe, made a pretext of sharing this opinion. No, I never had a consultation with Craig Tolliver or Taylor Young with reference to the Rowan County troubles."

"Did you know in advance of any of the crimes that they would occur?"

"My God, of course not."

In answer to another question Judge Cole said he did his best to get the grand juries to investigate the Martin murder and other crimes.

"Didn't it occur to you that the grand juries failed to indict through prejudice?" asked Senator Wright.

"No it didn't. I attributed the failure to an inability to find witnesses."

"Wasn't there a reign of terror in Rowan?"

"There was some feeling of terror there."

"Do you think you have done your duty as a Judge?"

"I haven't the shadow of doubt about that."

"Did Mr. Salles, the prosecuting attorney, do his duty?"

"I haven't a shadow of a doubt about that either."

"Have the grand and petty juries done their duty?"

"I guess they have as well as they knew how."

"What is the cause of the trouble in Rowan?"

"That I don't know."

"Do you believe it was in the power of a Judge to have done better than you did?"

"I think not."

"Do you think you could do any better now than you have in the past?"

"I tried my best during the past two years since these troubles came up to put down crime, but failed. I don't know what effect the killing of last June has had, and therefore cannot say whether or not I could do any better now than before."

In answer to a question Judge Cole said he firmly believes a plot was constructed to assassinate him at the last term of the court, and but for the presence of the militia he would not have gone to Morehead.

This closed Judge Cole's examination, and the committee retired with the counsel in the case for consultation as to subsequent proceedings. It was agreed to have a meeting last night at 7:30 o'clock to hear arguments of counsel. The Hon. W. H. Wadsworth was to lead off.